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OFFICE OF PETITIONS

In re Application of
Jianmin QIAO
Application No. 09/654,078
Filed: September 1, 2000
Attorney Docket No. 195425US77

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 5, 2002, to revive the above-identified application.

The petition is GRANTED.

The above-identified application became abandoned for failure to file a proper response, in a timely manner to the non-final Office action mailed November 29, 2001, which set a shortened statutory period for reply of three (3) months. A Request for Continued Examination, a three-month extension of time and a Request for Suspension of action were filed on May 29, 2002. Accordingly, the above-identified application became abandoned on March 1, 2002.

The filing of a Request for Continued Examination when prosecution in an application is not closed is not a proper reply. Therefore, since the submission of the RCE in reply to the non-final Office action was not a proper reply, the \$740 fee for the RCE and the \$920 fee for the extension of time will be credited to petitioner's deposit account.

The application is being forwarded to Technology Center AU 2814 for further processing.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

A handwritten signature in cursive script that reads "Latrice Bond". The signature is written in black ink and is positioned above the printed name and title.

**Latrice Bond
Paralegal Specialist
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy**